LEGISLATIVE BUSINESS—OFFICIAL BILLS

1. The Cochin Press and Registration of Books (Amendent) Bill

Mr. M. Sivarama Menon *(Advocate-General):* I move that [1]the Cochin Press and Registration of Books Act (Amendment) Bill be taken up and finally passed into law.

Mr. K. S. Raghavan *(Secretary to Government):* I second it.

The motion put and carried.

2. The Cochin Factories Act (Amendment) Bill.

Mr. K. S. Raghavan *(Secretary to Government):* I move that [2]the Cochin Factories Act (Amendment) Bill be takn up finally passed into law.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

The motion put and carried.

NON-OFFICIAL BILLS

1. The Cochin Verumpattamdars Act (Amendment) Bill

Mr. A. Eachara Menon *(Chittur-Tattamangalam):* I request that this may be postponed to the next session.

The request was agreed to

2. The Cochin Agriculturists Relief Act (Amendment) Bill

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Mr. President, I beg to present the [3]Report of the Select Committee appointed by this house at its last sitting in November 1945 to reconsider clauses 4 and 5 of the original Bill which had been reported on by the first Select Committee on 19th Kumbham 1120.

The original Bill had been, Sir, a five clause Bill brought in by me to undo the mischief brought about by two decisions of the Hon'ble High Court of Cochin. The Agriculturist's Relief Act is an Act placed on the Statute Book of Cochin to give relief to agriculturist debtors as also to agriculturists tenants of the State. Act No. XVIII of 1114 provided by sections 7, 8 and 9 of the Act that agriculturists debtors need pay only such amount as is scaled down under the provisons of the Act whether the debts had ripened into decrees of court or otherwise. Section 16 of the Act provided for the scaling down of Verumpattam due from agriculturists, cultivators of the land while section 17 provided for the scaling down of michavaram payable by Kanom tenants, under the conditions mentioned in these sections. This Act, Sir, this House might know, gave substantial relief to agriculturists debtors as also agriculturists tenants. The decision of our Hon'ble High Court reported in IX of Cochin Law Journal laid down the dictum that Verumpattom or Michavaram due from tenants need be scaled down only as debts when the tenant concerned had executed in favour of the landlord documents such as promisory notes, bonds or mortgages in settlement of arrears of Pattom or Michavaram payable by him. The effect of this decision, Sir, has been to lessen very much the relief granted to Kanamdars and Verumpattomdars under sections 16 and 17 of the Act.

Yet another decision of the Hon'ble High Court of Cochin reported at page 343 of X Cochin Law Journal laid down the law that in cases were the agriculturists judgment debtors had not applied, within 90 days of the coming into force of the Agriculturists Refief Act, for the scaling of the decrees they are not to enjoy the beneficial provisions of the Act or in other words such debtors had to pay the whole amount of the decree as seen therefrom. This decision, Sir, completely denied all the benifits allowed under the Act if the judgment debtor failed to apply for scaling down the decree debt within 90 days from 1st Chingam 1115 when the Act came into force. While the IX Cochin Law Journal case only witted down the extent of relief granted by the Act to Agriculturists tenants, the X Cochin Law Journal case completely denied the benefits granted under the Act.

With a view to undo the mischief brought about by these decisions of the Hon'ble High Court I tabled the amending Bill which the House will be considering presently. The Bill as

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1. *Please see Appendix IV.*
2. *Please see Appendix V.*
3. *Please see Appendix VI.*

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